

**REMARKS/ARGUMENTS**

In view of the foregoing amendments and the following remarks, the applicant respectfully submits that the pending claims comply with 35 U.S.C. § 112, are not anticipated under 35 U.S.C. § 102 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicant respectfully requests that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicant will now address each of the issues raised in the outstanding Office Action.

**Rejections under 35 U.S.C. § 112**

Claim 19 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

The Examiner notes that while claim 19 recites that an act of "accepting at least a part of the first set of configuration information for the data forwarding device is performed by accessing a storage device of the data forwarding device", claim 14 (from which claim 19 depends) contradicts this because it recites:

the first set of configuration information has not been saved on the data forwarding device **as a committed configuration**, and wherein no copied instance of the first set of configuration information has been saved on the data forwarding device **as a committed configuration . . . .**  
[Emphasis added.]

Thus, the Examiner concludes that claim 19 is not enabled. (See Paper No. 20080312, pages 3 and 4.) The applicant respectfully disagrees.

As highlighted above, claim 14 recites that "the first set of configuration information has not been saved on the data forwarding device **as a committed configuration**". This does not necessarily mean that the first set of configuration information has not been saved on the data forwarding device. Rather, as recited, it means only that the first set of configuration information has not been saved on the data forwarding device **as a committed configuration**. With regard to the term "committed configuration", the specification states:

During such a session, **the candidate configuration may be saved** as indicated by decision branch point 440. In one exemplary embodiment, candidate configuration information is not used until it is committed. As shown by optional decision branch point 450, **if the candidate configuration information is committed**, it may be checked for proper syntax as indicated by block 460. If there are any syntactical errors, the user may be notified of such errors as indicated by decision branch point 470 and block 475, before

the method 272'' branches back to block 425. If, on the other hand, there are no syntactical errors, the candidate configuration information may be activated and marked or flagged as the current active configuration information, as indicated by decision branch point 470 and block 480, before the method 272'' is left via RETURN node 490. [Emphasis added.]

(Page 13, lines 15-26) As this example illustrates, a configuration may be saved without being saved **as a committed confirmation**.

As can be appreciated from the foregoing, the recitations of claim 19 do not contradict anything in claim 14 (from which claim 19 depends). Thus, claim 19 is enabled and complies with 35 U.S.C. § 112, first paragraph. Consequently, the applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection.

#### **Rejections under 35 U.S.C. § 102**

Claims 23 and 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,959,332 ("the Zavalkovsky patent"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Independent claim 23 has been amended to further recite displaying the determined differences, wherein the determined differences are indicated by at least one of (A) special characters preceding changed lines of

configuration information, (B) special symbols preceding changed lines of configuration information, (C) special font characteristics applied to changed versus unchanged lines of the configuration information, and (D) special font characteristics applied to changed versus unchanged sections of the configuration information. This amendment is supported, for example, by page 10, lines 1-9 and page 18, line 10 through page 20, line 3.

Claim 23, as amended, is not anticipated by the Zavalkovsky patent because the Zavalkovsky patent does not teach the foregoing feature. Specifically, even if the merge and aggregate processes of the Zavalkovsky patent somehow compare an initial set of basic commands (derived from an abstract policy) and an uploaded set of basic commands (derived from a current command line interface ("CLI") configuration of a device), any differences found in such comparisons are not displayed, let alone displayed in one of the ways claimed. This is because user interaction is not needed when the processes discussed in the Zavalkovsky patent merge and aggregate the sets of basic commands (for purposes of generating a final list of basic commands, which are converted into CLI commands and deployed to the device). Thus, independent claim 23, as amended, is not anticipated by the Zavalkovsky patent for at least the foregoing reason. Since claim 24 depends from claim 23, it is similarly not anticipated by the Zavalkovsky patent.

**Rejections under 35 U.S.C. § 103**

Claims 2-4, 6-8, 11, 14-18, 20 and 29-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Zavalkovsky patent in view of U.S. Patent No. 7,054,924 ("the Harvey patent"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

***Claims 2-4 and 6-8***

Independent claim 4 is not rendered obvious by the Zavalkovsky and Harvey patents because these patents, either taken alone or in combination, neither teach, nor suggest, determining differences, if any, between (1) at least a part of a set of candidate configuration information for the data forwarding device, including a plurality of statements defining at least a part of a hierarchical configuration, (and which ***only includes a defined first statement and any of the plurality of statements that are descendants of the defined first statement in the hierarchical configuration***), and (2) at least a part of the selected set of configuration information for the data forwarding device, including a plurality of statements defining at least a part of a hierarchical configuration, (and which includes a ***corresponding first statement and any of the plurality of statements that are descendants of the defined first statement in the hierarchical configuration***). Such "scoping capabilities may be used to limit a compare configurations operation, thereby permitting users to work on smaller, more manageable parts of sets of

configuration information." (Specification, page 23, lines 23-25)

The Zavalkovsky and Harvey patents do not even contemplate such a feature. The Examiner concedes that the Zavalkovsky patent does not teach this feature. (See Paper No. 20080312, pages 10 and 11). However, the Examiner relies on the Harvey patent in an attempt to compensate for this admitted deficiency. Specifically, the Examiner alleges that the fact that an "interface" level statement includes sub-level statements of "ip address" and "IP route-cache" in the Harvey patent means that the Harvey patent teaches hierarchical configuration (statements). (See Paper No. 20080312, page 12.) Even assuming, arguendo, that this is true, it does teach, nor does it suggest, that "the at least the part of the set of candidate configuration information only includes a defined first statement and any of the plurality of statements that are descendants of the defined first statement in the hierarchical configuration" (Paper No. 20080312, page 12), nor does it teach or suggest that "the at least the part of the selected set of configuration information includes a corresponding first statement and any of the plurality of statements that are descendants of the defined first statement in the hierarchical configuration" (Paper No. 20080312, page 13). That is, ***the mere presence of hierarchical statements does not mean that the hierarchy, or a statement within the hierarchy, is used to scope (or otherwise limit) a comparison of configuration information.***

Thus, independent claim 4 is not rendered obvious by the Zavalkovsky and Harvey patents for at least this

reason. Since claims 2, 3 and 6-8 depend from claim 4, they are similarly not rendered obvious. Finally, the applicant respectfully notes that the Examiner cited the entirety of the Zavalkovsky and Harvey patents in portions of this rejection. Since these patents are complex and show or describe inventions other than that claimed, the applicants respectfully request that if the Examiner is to maintain this ground of rejection, he designate the particular part relied on. (See 37 C.F.R. § 1.104(c)(2).)

***Claims 11, 29 and 30***

Independent claim 11 is not rendered obvious by the Zavalkovsky and Harvey patents at least because these patents, either taken alone or in combination, neither teach, nor suggest considering changes to statements ***without regard to parameter values*** when determining differences, if any, between at least a part of a set of candidate configuration information for a data forwarding device, and at least a part of a selected set of configuration information for the data forwarding device. Indeed, in rejecting claim 11, the Examiner did not address this feature. Thus, independent claim 11 is not rendered obvious by the Zavalkovsky and Harvey patents for at least this reason. Since claims 29 and 30 depend from claim 11, they are similarly not rendered obvious.

***Claims 14-18, 20, 31 and 32***

Independent claim 14 has been amended to further recite displaying the determined differences, wherein the determined differences are indicated by at least one of (A) special characters preceding changed lines of

configuration information, (B) special symbols preceding changed lines of configuration information, (C) special font characteristics applied to changed versus unchanged lines of the configuration information, and (D) special font characteristics applied to changed versus unchanged sections of the configuration information. This amendment is supported, for example, by page 10, lines 1-9 and page 18, line 10 through page 20, line 3. The Zavalkovsky and Harvey patents, either taken alone or in combination, neither teach, nor suggest this feature. Thus, independent claim 14 is not rendered obvious by the Zavalkovsky and Harvey patents for at least this reason. Since claims 15-18, 20, 31 and 32 directly or indirectly depend from claim 14, they are similarly not rendered obvious.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Zavalkovsky patent in view of the Harvey patent and further in view of U.S. Patent No. 6,587,874 ("the Golla patent"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Since claim 9 depends from claim 4 and since the purported teachings of the Golla patent do not compensate for the deficiencies of the Zavalkovsky and Harvey patents with respect to claim 4 (discussed above), claim 9 is not rendered obvious by the Zavalkovsky, Harvey and Golla patents, regardless of the scope of the purported teachings of the Golla patent and regardless of the presence or absence of an obvious reason to combine these references as proposed by the Examiner.

Claims 10, 13, 22, 25-28 and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,349,306 ("the Malik patent") and in view of what was well known in the art. The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Independent claim 10 is not rendered obvious by the Malik patent because the Malik patent neither teaches, nor suggests, ***comparing, with a data forwarding device, configurations for that particular data forwarding device.***

The Malik patent concerns network management, including remote, centralized configuration of devices on the network. (See, e.g., Figure 1, column 3, lines 13-23, and column 5, lines 35-43.) In the Malik patent, a "configuration" is defined as a particular setting of device parameters that govern the operational characteristics of a network device (See, e.g., column 1, lines 22-24.), or all attribute/value pairs obtained by interrogating selected models through a template (See, e.g., column 3, lines 59-61.). In the Malik patent, "models" are defined as representing different associated network devices, and each model includes attribute values for parameters of the particular network device. (See, e.g., column 2, lines 11-13.) Finally, in the Malik patent a "template" is defined as a list of attributes for a device of a certain model type. (See, e.g., column 3, lines 24-26.)

To reiterate, as shown in Figure 1, the configuration management system 18 is separate from the device of a live network 10 actually being configured.

***This remote, centralized configuration management does not teach, nor does it suggest, comparisons by a data forwarding device of configurations, for the data forwarding device, stored on the data forwarding device.***

In the Malik patent, a verification step permits the comparison of attribute/value pairs of a loaded (i.e., saved) configuration of a model with the actual attribute/value pairs captured from the model, and the display of the results of such a comparison. (See, e.g., column 9, lines 20-27.) The output may be a report of discrepancies between attribute/value pairs after the comparison. (See, e.g., column 7, lines 34-42.) More specifically, in the Malik patent, the verify option enables a user to verify whether the actual attribute values of a model match previously loaded attribute values of a created configuration. (See, e.g., column 8, lines 14-16.) ***Thus, the verify configuration function in the Malik patent is limited to comparing values of attributes in two configurations -- one configuration as loaded to a device, and the other as read from the device. The teaching does not extend to comparing a configuration that has not been loaded and committed on a device with an instance or copy of the configuration that has been saved on the device, nor does it extend to comparing statements without regard to parameter values in such configurations.***

Thus, the Malik patent teaches a remote, centralized configuration management. For example, as shown in Figure 1, the configuration management system 18 is separate from the device of a live network 10 actually being configured. Although the Malik patent does not disclose that the act of determining differences is

performed by a component of the data forwarding device,  
the Examiner states:

it is well known in the networking art that a computing device (e.g., a client computer or server) **can be** configured and designated as a routing device similar to a router with the use of multiple NIC cards. Hence, a regular computer with multiple NIC cards installed can act as a routing device in addition to performing the installed applications.

Therefore, it would have been obvious to one of ordinary skill in the art at the time ... the invention was made to combine the teachings of Malik with common knowledge in the networking art to present a computing device capable of comparing and determining the differences between the current running configuration performing the routing function of the computer and the potential replacement configuration, while performing routing functions at the same time. [Emphasis added.]

Paper No. 20080312, page 25.

Even assuming, arguendo, that having computers performing routing functions was known, one skilled in the art would not have been motivated to apply the verify function of the Malik patent locally. As discussed above, the Malik patent espouses centralized configuration management. For example, the Malik patent states, "the administrator may create new configurations, load these configurations to devices anywhere on the network, and then verify whether the configurations have changed." Column 3, lines 20-23.

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***This remote, centralized configuration management does not teach, nor does it suggest, comparisons by a data forwarding device of configurations, for the data forwarding device, stored on the data forwarding device.***

Further, the purported fact that a computer ***can be*** modified to have routing capabilities would ***not*** have suggested to one skilled in the art to use the verification of the Malik patent locally, on a computer-based data forwarding device.

Accordingly, claim 10 is not rendered obvious by the Malik patent for at least the foregoing reason. Since claims 27, 28 and 33 depend from claim 10, these claims are similarly not rendered obvious by the Malik patent. Independent claims 13, 22, 25 and 26 are similarly not rendered obvious by the Malik patent.

### **Conclusion**

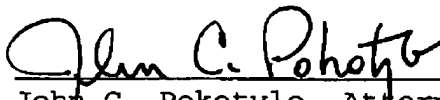
In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the applicant requests that the Examiner pass this application to issue.

Any arguments made in this amendment pertain ***only*** to the specific aspects of the invention ***claimed***. Any claim amendments or cancellations, and any arguments, are made ***without prejudice to, or disclaimer of***, the applicant's right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicant's remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicant's silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicant that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the applicant reserves the right to analyze and dispute any such assertions and implications in the future.

Respectfully submitted,

September 8, 2008

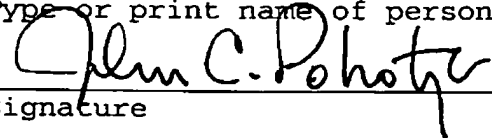
  
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